

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

V.

JOSEPH MATZ

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Criminal No. 10-10220 JLT

VIOLATION:

18 U.S.C. § 2113(a)-

Bank Robbery

GOVERNMENT'S SENTENCING MEMORANDUM

The United States hereby sets out certain key points it wishes to highlight with respect to the sentencing of Joseph Matz:

1. Matz is a career offender. Matz has a long criminal record, beginning when he was just 16 years old.
2. Matz committed four other bank robberies within one month of the charged offense. He admitted his involvement in all five robberies (the charged one plus the others). He was a one-man crime spree. This was not atypical behavior; as long ago as 1987, Matz was convicted of multiple robberies occurring over a two week period (see Pre-Sentence Report, "PSR", ¶ 44).
3. He has numerous violent felonies, included assault and battery, armed robbery, and bank robbery by force or violence; PSR ¶¶ 50, 56, 57, & 58.
4. Defendant was previously convicted in a 2004 case *in this district* of bank robbery by force or violence; PSR ¶ 58. Defendant was sentenced to 47 months in federal prison without apparent impact, since he returned to robbing banks within eleven months of his release from prison and while he was still on supervised release. PSR ¶¶ 9 & 58. This is all the more astonishing given that defendant received a significant reduction in his

sentence based on a motion filed under 28 U.S.C. § 2255. The ground of that motion was that defendant was not a career offender at that time because, and only because, one of his prior convictions was too old. His sentence was reduced from 103 months to 47 months.

Joseph Matz is the epitome of a career offender. Despite significant periods of incarceration, he has shown no interest in rehabilitation. He is a danger to the community; the only thing the Court can be sure of is that this defendant will return to violent crime upon release. Therefore, the Court should impose a lengthy sentence for the protection of the community. This is not a defendant whose circumstances and history should be glossed over.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/ thomas e. kanwit
THOMAS E. KANWIT
Assistant U.S. Attorney

August 8, 2011

Counsel certifies that this document was filed by electronic means using the CM/ECF system and that a copy was served by that system on counsel for defendant. Counsel further certifies that he has consulted with counsel for defendant in an attempt to resolve the issue(s) presented herein.

/s/ thomas e. kanwit
THOMAS E. KANWIT